

CONGRESSIONAL BRIEFING ON MIGRANT DOMESTIC WORKERS

(Bill H.R. 3244: *Trafficking Victims Protection Act of 1999*)

1. (Personal Introduction.) X.S. a psychotherapist with the Montg. Cnty,'s VASAP . VASAP is the county agency that assists victims of all type of crimes and more specifically victims of sexual assault. I have been working with this program for the last 9 years and during this time -and I know it has been some of my colleagues' experience too—I have seen several cases of physical and sexual abuse as well as exploitation of domestic workers who have been brought to this country with A3 and G5 visas.
2. (Psychological effects of slave-like conditions.) I would like to focus on the psychological effects of living in a slave-like condition. Most people coming to a different country experience a cultural shock. Confusion and grieving are normal reactions after leaving one's home country, relatives, friends, and things one was used to. However, this normal process gets aggravated for these domestic workers when they realize as soon as they arrive that what they were offered in their home country is not being granted in this new "home."
The abuse these workers endure may involve verbal, physical, emotional, and sexual abuse. When someone is repeatedly hurt and humiliated, kept isolated and living in slave-like conditions, there is a pattern of emotional, rational and behavioral responses that takes place. Depending on the population it affects, this pattern has been known as the prisoner of war syndrome or the battered-wife syndrome. There is not an "exploited domestic worker syndrome" that we know of, but the symptoms and reactions these workers experience are similar to those of POW and victims of domestic violence. Most people living in a slave-like conditions develop what is known as PTSD, a pattern of responses involving among others symptoms: recurrent and intrusive thoughts and images of the traumatic experience, nightmares, flashback episodes, intense psychological distress, insomnia, and hypervigilance.
It is common for these domestic workers to experience self-blaming and guilt and the beginning. They think they must have done something wrong which prompted their employers to react in such a way (i.e. calling them "stupid," not allowing them to go out or use the telephone, forcing them to work extra hours, withholding their wages, or beating them).
Later, when these workers realize that no matter what they do their employers are going to continue displaying the same pattern of abuse, they experience an increment in their feelings of frustration, hopelessness, desperation and vulnerability.
These domestic workers are being coerced and threatened. They start feeling overwhelmed by their fears. They are afraid of speaking out, of being further abused, of being sent back to their countries, of being deported. They feel trapped, but ambivalent about leaving, talking and seeking help. After feeling betrayed by their employers –and some of them by their own parents who gave them to these "patrones"- it is hard for them to trust strangers. The social isolation they have been subjected to has made them even more distrustful and vulnerable.

Their self-esteem suffers considerable damage after prolonged periods of maltreatment, exploitation, and humiliation. They feel inadequate, powerless, and worthless. These sustained abuse and exploitation also generate anger. Anger they do not dare to direct to their abusers out of fear of retaliation; anger that builds inside aggravating their anxiety and depression and worsening their psychological and physical conditions.

The situation of these domestic workers is not what has been traditionally thought of as slave-like conditions in the U.S., but as you can see the psychological effects are severe and “slavery-like practices” do include what many domestic workers find themselves forced to endure.

3. (Proposed solutions.) How to prevent this from happening? How to protect these victims’ rights?
- ? The Campaign for Migrant Domestic Workers Rights has made prior attempts to strengthen protections for these workers. This coalition submitted a proposal to the World Bank in September, 1998. The proposal considered initiatives at three levels: (1) orientation prior to the worker’s departure from the home country, (2) World Bank procedures while the worker is employed in the U.S., and (3) support of an independent social services program that would provide a variety of needed services to the domestic workers.

The point I would like to emphasize today is that of the independent social services program. Giving information to the domestic workers about their rights prior to their departure and once they arrive to this country has proved insufficient in protecting these workers. A major obstacle these workers face is the social isolation. The implementation of an independent agency that would advocate on behalf of these workers and provide information and referral for medical, legal, social, and mental health services might help break this isolation. The Spanish Catholic Center has drafted a detailed proposal for such an agency, therefore I will not expand this point any further.
- ? There is an informal network of faith-based organizations, service agencies, and plain good Samaritans that needs to be strengthened in order to reach potential or existing victims that are kept isolated. CASA of Maryland’s Domestic Workers’ Project is an example of efforts done in this regard.
- ? International Organizations might help finance a national or local (Washington Metropolitan Area) HELP-LINE that would provide information and referral to these domestic workers as well as to the assisting agencies.
- ? Funds need to be allocated to develop, expand, or strengthen victim service programs such as the Montgomery County’s VASAP This program assists victims of crime and more specifically victims of sexual assault. Some of the services provided to these victims are: 24-hour telephone and walk-in crisis counseling, information, and referral; 24-hour outreach services for victims of sexual assault at hospitals and police stations; individual counseling; support groups; assistance through the criminal justice system, including support and accompaniment during legal procedures and collaboration with Police, State’s Attorney’s Office, and other County agencies; assistance in applying to the Maryland Criminal Injuries Compensation Board and coordination of the claim with the Board; compensation for income-eligible victims

from the Montgomery County Compensation Fund; anonymous third party reporting of rape and sexual offenses to the Montgomery County Police Department; and educational programs on victim rights, sexual assault/rape, and crime prevention for professionals and community groups.

- ? Migrant domestic workers that have been subjected to coercion and intimidation and who, in addition, are unfamiliar with the US laws, culture, and language find it difficult or impossible to report the crimes committed against them or to assist in the investigation and prosecution of such crimes. Therefore, there is a need to provide assistance to these victims without regard to their immigration status. They shall be eligible for any benefits that are otherwise available under the Crime Victims Fund and granted continued presence in the U.S. if they can be material witnesses in the prosecution of their offenders.
- ? Given the increased level of vulnerability of these victims and their deteriorated psychological and physical conditions, while in the custody of the Federal Government, they shall be housed in appropriate shelter and receive adequate medical and psychological care. They shall not be jailed, fined, or otherwise penalized for a crime they did not commit. This would just add to the injustices already perpetrated against these workers.